

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

JLM COUTURE, INC.,

Debtor.

Chapter 11
(Subchapter V)

Case No. 23-11659 (JKS)

**Hearing Date: February 28, 2024 at 11:00 a.m.
Objection Deadline: February 1, 2024 at 4:00 p.m.**

SECOND OMNIBUS OBJECTION (NON-SUBSTANTIVE) TO CLAIMS

The above-captioned Debtor and Debtor-in-Possession files this second omnibus objection to the allowance of certain Claims (collectively, the “Disputed Claims”) asserted against the Debtor. The Debtor respectfully requests that each of the Disputed Claims be modified or disallowed as more fully set forth herein. In support of this Second Omnibus Objection to Claims (the “Objection”), the Debtor respectfully represent as follows:

BACKGROUND

1. On October 2, 2023 (the “Petition Date”), the Debtor commenced a voluntary case under subchapter V of chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in this Court.

2. The Debtor is operating its business as debtor in possession pursuant to section 1184 of the Bankruptcy Code. William Homony has been appointed as Subchapter V Trustee.

3. Additional detail regarding the Debtor, its business, the events leading to commencement of this case, and the facts and circumstances supporting the relief requested herein is set forth in the *Declaration of Joseph L. Murphy in Support of Second-Day Motions* [Docket No. 3] and is incorporated herein by reference.

4. On October 4, 2023, the Court docketed the *Notice of Chapter 11 Bankruptcy Case* [Docket No. 22] establishing the following dates for filing Proofs of Claim (the “Bar

Dates"): (i) December 1, 2023 as the deadline for each person (as defined in section 101(41) of the Bankruptcy Code) and entity (as defined in section 101(15) of the Bankruptcy Code, other than a governmental unit) to file a Proof of Claim in respect of a Claim, unless otherwise provided in the Bar Date Order; and (ii) April 1, 2024 as the deadline for governmental units (as defined in section 101(27) of the Bankruptcy Code) to file a Proof of Claim in respect of a Claim.

JURISDICTION

5. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Additionally, the proposed Plan provides for the retention of jurisdiction over this matter. *See Plan, Art. XI.* Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

OBJECTION AND BASIS THEREFORE

6. Pursuant to this Objection, the Debtor hereby objects to the Disputed Claims as more fully set forth below. A proposed form of order granting the relief requested herein is annexed hereto as Exhibit 1 (the "Proposed Order"). In support of this Objection, the Debtor submit the *Declaration of Joseph Murphy*, attached hereto as Exhibit 2.

7. The statutory predicate for the relief requested herein is section 502 of the Bankruptcy Code and Bankruptcy Rule 3007. Undersigned counsel hereby certifies that this Objection is in compliance with Local Rule 3007-1.

A. Late Filed Claims

8. The Debtor objects to each of the Disputed Claims identified on Exhibit A (the "Late Filed Claims") attached to the Proposed Order and respectfully submits that they be

disallowed in full. The Late Filed Claims were filed after the applicable Bar Date established by the Court. By this Objection, the Debtor seeks to disallow each of the Late Filed Claims.

NOTICE

9. Notice of this Objection will be given to (i) the U.S. Trustee, (ii) each of the claimants listed on Exhibits A attached to the Proposed Order, (iii) the Subchapter V Trustee, and (iii) any party entitled to notice pursuant to Local Rule 2002-1(b). In light of the nature of the relief requested herein, the Debtor submits that no further notice is necessary or required.

WHEREFORE, the Debtor respectfully requests that the Court sustain the Objection as more fully set forth herein and provide such other relief as is just and proper.

Dated: January 17, 2024

CROSS & SIMON, LLC

/s/ Kevin S. Mann

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